

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAULA CARRIE ROGERS,

Plaintiff,

v.

COUNTY OF SACRAMENTO, et al.,

Defendants.

No. 2:24-cv-00475-TLN-CKD (PS)

ORDER

Plaintiff, who proceeds without counsel, initiated this action with a complaint filed on February 15, 2024. (See ECF No. 1.) This matter is before the undersigned pursuant to 28 U.S.C. § 636(b)(1) and E.D. Cal. Local Rule 302(c)(21).

On March 31, 2025, defendants filed a motion to dismiss the First Amended Complaint. (ECF No. 53.) Local Rule 230(c) requires an opposition or statement of non-opposition to the motion be filed within 14 days of the filing of a motion to dismiss. Plaintiff did not file a timely opposition to the motion to dismiss.

The court will provide plaintiff a further opportunity to respond to the pending motion to dismiss within 14 days after service of this order. Plaintiff is cautioned that any further failure to respond will be construed as plaintiff's non-opposition to the motion which would constitute grounds for dismissal under Rule 41(b).

1 Local Rule 230(c) states “[n]o party will be entitled to be heard in opposition to a motion  
2 at oral arguments if opposition to the motion has not been timely filed by that party....”  
3 Accordingly, the hearing set for May 21, 2025, is vacated. After the conclusion of briefing, the  
4 motion will be submitted for decision on the record and written briefing pursuant to Local Rule  
5 230(g). If the court subsequently determines that supplemental briefing or oral argument is  
6 necessary, the parties will be notified accordingly.

7 For the reasons set forth above, IT IS HEREBY ORDERED as follows:

- 8 1. The May 21, 2025, hearing is VACATED.
- 9 2. Plaintiff shall file a written opposition (or a statement of non-opposition) to the  
10 motion to dismiss within 14 days after service of this order. Failure to do so will  
11 be deemed a statement of non-opposition and consent to the granting of the motion  
12 and may constitute an additional ground for the imposition of appropriate  
13 sanctions, including a recommendation that plaintiff’s case be involuntarily  
14 dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b).
- 15 3. Defendant may file a written reply to any opposition filed by plaintiff within 10  
16 days of plaintiff’s filing. The court will take this matter under submission upon  
17 conclusion of this briefing schedule.

18 Dated: April 18, 2025

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20 CAROLYN K. DELANEY  
21 UNITED STATES MAGISTRATE JUDGE

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